

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

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No. 17 Civ. 0001 (NRB)

Treasure Chest Themed Value Mail, Inc.,
Plaintiff,

ANSWER

-against-

David Morris International, Inc.,

Defendant.

_____X

DEFENDANT'S ANSWER TO PLAINTIFF'S CLAIMS

Defendant David Morris International, Inc. ("Defendant"), by and through its attorneys, answers the complaint filed by Plaintiff Treasure Chest Themed Value Mail, Inc. ("Plaintiff"), as follows:

1. This allegation contains Plaintiff's characterization of its breach of contract claim or conclusions of law to which no response is required. To the extent a response is deemed required, Defendant denies the allegation.
2. Defendant lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.
3. Defendant admits this allegation.
4. Defendant lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.
5. Defendant lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

6. Defendant denies that any section of Title 29 of the United States Code grants original subject matter jurisdiction to this Court. Defendant otherwise lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

7. Defendant denies that any section of Title 29 of the United States Code makes venue in this District appropriate. Defendant otherwise lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

8. Defendant lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

9. This allegation contains Plaintiff's characterization of its breach of contract claim or conclusions of law to which no response is required. Defendant otherwise lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

10. This allegation contains Plaintiff's characterization of its breach of contract claim or conclusions of law to which no response is required. Defendant otherwise lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

11. Defendant denies this allegation.

12. This allegation contains Plaintiff's characterization of its breach of contract claim or conclusions of law to which no response is required. Defendant otherwise lacks the knowledge or information sufficient to form a belief as to the truth or falsity of the allegation.

13. Defendant denies this allegation.

PRAYER FOR RELIEF AND JURY DEMAND

The remainder of the complaint contains Plaintiff's Prayer for relief to which no

response is required. To the extent a response is deemed necessary, Defendant denies the allegations in Plaintiff's prayer for relief and further avers that Plaintiff is not entitled to any relief in this action.

Defendant denies each and every allegation of the breach of contract claim not specifically and expressly admitted herein. Defendant demands a jury trial for all issues so triable.

AFFIRMATIVE DEFENSES

Defendant hereby gives notice that it may rely on defenses if and when such defenses become known during the course of litigation, and hereby reserves the right to amend the answer to assert any defenses as become known or available.

Dated: March 21, 2017
Long Island City, NY

Kasell Law Firm

By: /s/ David M. Kasell (DK-7753)

David M. Kasell, Esq.
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Long Island City, NY 11101
(718) 404-6668

Local Counsel for Defendant
David Morris International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of March 2017, a true copy of Defendant's Answer was served on all counsel of record by the CM/ECF system of the Southern District of New York, which then sends a notification of such filing to all counsel of record.

Dated: March 21, 2017

By: /s/ David M. Kasell